

AMENDED IN SENATE APRIL 7, 2014

SENATE BILL

No. 1127

Introduced by ~~Senator~~ *Senators Torres and Pavley*
(~~Principal coauthor: Senator Pavley~~)

February 19, 2014

An act to amend Section 8594.10 of the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

SB 1127, as amended, Torres. Emergency services: individuals with developmental disabilities *and cognitive impairments*.

Existing law ~~requires a law enforcement agency to activate the Emergency Alert System within the appropriate area if that agency determines that a child 17 years of age or younger, or an individual with a proven mental or physical disability, has been abducted and is in imminent danger of serious bodily injury or death, and there is information available that, if disseminated to the general public, could assist in the safe recovery of that person. Existing law also requires that~~ *authorizes a law enforcement agency, if a person is reported missing to a the law enforcement agency, and that agency determines that certain requirements are met, including, among others, that the missing person is 65 years of age or older, the law enforcement agency shall to request the California Highway Patrol to activate a Silver Alert, the notification system designed to issue and coordinate these alerts. Existing law requires the California Highway Patrol to activate a Silver Alert if it concurs with the law enforcement agency that those requirements are met, and to take certain actions, upon activation of a Silver Alert, to assist the agency investigating the disappearance.*

~~This bill would state the intent of the Legislature to enact legislation to establish a statewide quick response and notification system for individuals with developmental disabilities who are reported missing.~~
include a missing person who is developmentally disabled or cognitively impaired among the persons who may be the subject of a Silver Alert.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8594.10 of the Government Code is
2 amended to read:

3 8594.10. (a) For purposes of this section, “Silver Alert” means
4 a notification system, activated pursuant to subdivision (b),
5 designed to issue and coordinate alerts with respect to a person
6 who is 65 years of age or older, *developmentally disabled, or*
7 *cognitively impaired, and* who is reported missing.

8 (b) (1) If a person is reported missing to a law enforcement
9 ~~agency;~~ agency and that agency determines that the requirements
10 of subdivision (c) are met, the agency may request the California
11 Highway Patrol to activate a Silver Alert. If the California Highway
12 Patrol concurs that the requirements of subdivision (c) are met, it
13 shall activate a Silver Alert within the geographical area requested
14 by the investigating law enforcement agency.

15 (2) Radio, television, and cable and satellite systems are
16 encouraged to, but not required to, cooperate with disseminating
17 the information contained in a Silver Alert.

18 (3) Upon activation of a Silver Alert, the California Highway
19 Patrol shall assist the investigating law enforcement agency by
20 issuing a be-on-the-lookout alert, an Emergency Digital
21 Information Service message, or an electronic flyer.

22 (c) A law enforcement agency may request a Silver Alert be
23 activated if that agency determines that all of the following
24 conditions are met in regard to the investigation of the missing
25 person:

26 (1) The missing person is 65 years of age or older,
27 *developmentally disabled, or cognitively impaired.*

28 (2) The investigating law enforcement agency has utilized all
29 available local resources.

1 (3) The law enforcement agency determines that the person has
2 gone missing under unexplained or suspicious circumstances.

3 (4) The law enforcement agency believes that the person is in
4 danger because of age, health, mental or physical disability, *or*
5 environment or weather conditions, that the person is in the
6 company of a potentially dangerous person, or that there are other
7 factors indicating that the person may be in peril.

8 (5) There is information available that, if disseminated to the
9 public, could assist in the safe recovery of the missing person.

10 *(d) For purposes of this section, the following definitions have*
11 *the following meanings:*

12 *(1) “Developmentally disabled” means affected by a*
13 *developmental disability, as defined in subdivision (a) of Section*
14 *4512 of the Welfare and Institutions Code.*

15 *(2) “Cognitively impaired” means affected by a cognitive*
16 *impairment, as defined in Section 14522.4 of the Welfare and*
17 *Institutions Code.*

18 *(e) This section shall remain in effect only until January 1, 2016,*
19 *and as of that date is repealed, unless a later enacted statute, that*
20 *is enacted before January 1, 2016, deletes or extends that date.*

21 ~~SECTION 1. It is the intent of the Legislature to enact~~
22 ~~legislation to establish a statewide quick response and notification~~
23 ~~system for individuals with developmental disabilities who are~~
24 ~~reported missing.~~